

If lawmakers 'met every deadline' on school funding, why is state in contempt of court?

Democratic and Republican lawmakers claim they haven't missed a deadline

State Supreme Court holds state in contempt on school-funding issues

When pressed, lawmakers say they met own deadlines, but not all of court's

The state Legislative Building in Olympia is shown in January 2013. Tony Overman The Olympian

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To hear some state lawmakers talk lately, you might wonder how the state could possibly be in contempt of court about education funding.

Legislators from both parties have claimed in recent weeks that they “met every deadline” when it comes to fully funding public schools, something the state Supreme Court ordered them to do four years ago in the landmark McCleary school-funding case.

“We’ve met every deadline and now there is the final piece,” said House Majority Leader Pat Sullivan, D-Covington, referencing the state’s need to boost funding for school-employee salaries.

Then there was state Sen. Ann Rivers, R-La Center, at a Senate committee hearing on Thursday.

“We’ve met every single deadline,” Rivers said. “We’re on track to continue to meet deadlines. And that’s something that never makes a headline — because that doesn’t bleed, does it, my friends in the media?”

So what about [the 2014 date](#) by which the Legislature was supposed to submit a plan for fixing school-funding problems by 2018?

Lawmakers have yet to produce the plan. In August, the court started [imposing sanctions of \\$100,000 a day](#) over the Legislature’s continued lack of compliance.

We’ve met every deadline, and now there is the final piece.

House Majority Leader Pat Sullivan, D-Covington, on Legislature's progress toward fully funding public schools

The court-ordered fines, which total about \$17 million so far, are supposed to be placed in a separate account for basic education. But that has yet to happen because lawmakers are the ones who must vote to move the money.

When asked last week about their claims, several lawmakers clarified their statements: They are referring only to deadlines the Legislature has set for itself.

In its initial 2012 ruling, the high court ordered lawmakers to pay for education reforms that they previously approved and to do so according to a phased-in schedule the Legislature approved in 2010.

Lawmakers have met many of the deadlines set by that bill — known as House Bill 2776 — on time, including fully funding all-day kindergarten and increasing funding for school transportation and supplies.

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State Sen. Ann Rivers, R-La Center, on Legislature's progress in McCleary school-funding case

"I think we have met every deadline in House Bill 2776," Sullivan clarified Monday when asked about his previous statements that lawmakers haven't missed a deadline.

All told, the Legislature approved \$1 billion in new education spending in its 2013-15 budget to address the McCleary ruling and another \$1.3 billion in the state's 2015-17 budget.

Lawmakers have yet to address what Sullivan called an especially challenging part of the McCleary decision: finding a way for the state take on the full costs of paying teachers and other school employees.

The salary costs are now being paid partly through local school district levies, an arrangement the court said is unconstitutional.

Lawmakers estimate that fixing the salary problem could cost the state an additional \$3.5 billion every two years.

So far, lawmakers' plans to address that part of the McCleary ruling would focus on gathering additional financial data from school districts while committing to solving the problem in 2017 or 2018.

This week, Republicans and Democrats sparred [over what the date for a final solution should be](#), with Democrats arguing GOP proposals were setting up the state to miss the biggest McCleary deadline.

Meanwhile, the court is waiting for lawmakers to submit the plan it asked for in 2014.

We're clearly in contempt because we didn't meet the deadline to submit a plan. I don't know why people keep saying that.

State Sen. Christine Rolfes, D-Bainbridge Island, on her colleagues insistence they met all deadlines in school-funding case

When asked why the Legislature's failure to meet that deadline doesn't count against its record of school-funding accomplishments, Republicans accused the Supreme Court of repeatedly changing its expectations in the McCleary case.

Republican leaders said they are focused on solving remaining funding issues by 2018, the deadline lawmakers originally approved.

"The court continues to move the goalpost," said House Minority Leader Dan Kristiansen, R-Snohomish. "The court, every time they've made a decision on this, has added something else to their decision."

Rivers compared the court's actions to Lucy's behavior toward Charlie Brown in the "Peanuts" comic strip: Every time Charlie Brown tries to kick a football held by Lucy, the girl pulls it away.

"The Supreme Court pulls the ball away and we end up on our backside," said Rivers, who praised the amount of money the Legislature has put into smaller classes, all-day kindergarten and other reforms.

Not all lawmakers boast of the Legislature's record on responding to the McCleary case. State Sen. Christine Rolfes, D-Bainbridge Island, said she doesn't understand how colleagues can argue that they met every deadline.

"We're clearly in contempt because we didn't meet the deadline to submit a plan," Rolfes said. "I don't know why people keep saying that."

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